

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**EMMANUEL QUENTIN WYLIE,**

Plaintiff,

vs.

**12345 3RD STREET LLC,**

Defendants.

2:19-CV-11792-TGB

**ORDER GRANTING  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS AND  
SUMMARILY DISMISSING  
CASE**

On June 13, 2019, Plaintiff filed a Complaint that appears to seek condemnation of property located at 12345 3rd Street, Highland Park, Michigan. ECF No. 1. Plaintiff did not pay the filing fee, instead seeking to proceed *in forma pauperis*. ECF No. 2. Plaintiff then sought to add the Wayne County Treasurer as a defendant. ECF No. 4.

Because the Complaint is frivolous and fails to state a claim on which relief can be granted, the Court will **GRANT** Plaintiff's application to proceed *in forma pauperis*, **DISMISS** the Complaint, and **DENY as moot** Plaintiff's Motion to Add Defendant.

When a person seeks to proceed in court without prepayment of fees (*in forma pauperis*), the Court must determine whether the action is “frivolous” or “fails to state a claim on which relief may be granted.” 28 U.S.C. § 1915(e)(2)(B)(i)–(ii). If so, the Court must dismiss the Complaint. *Id.* An action is frivolous if “it lacks an arguable basis either in law or in fact.” *Nietzke v. Williams*, 490 U.S. 319, 325 (1990).

Plaintiff’s Complaint is a rambling string of legal phrases and citations related to condemnation of real and personal property by eminent domain. Eminent domain is “[t]he inherent power of a governmental entity to take privately owned property . . . and convert it to public use, subject to reasonable compensation for the taking.” *Black’s Law Dictionary, eminent domain* (11th ed. 2019). Plaintiff is not a governmental entity and alleges no facts sufficient for the Court to conclude that he is acting with delegated governmental authority.

Plaintiff’s Complaint has no basis in law or fact. It therefore fails to state a claim on which relief can be granted and is frivolous. For these reasons, the Court **GRANTS** Plaintiff’s application to proceed *in forma*

*pauperis* but **DISMISSES** the Complaint. Plaintiff's pending motion is **DENIED as moot**.

DATED July 18, 2019.

BY THE COURT:

/s/Terrence G. Berg  
TERRENCE G. BERG  
United States District Judge

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, July 18, 2019, by electronic and/or postal mail.

S/A. Chubb  
Case Manager and Deputy Clerk